

William C. Sandelands, Esq.
Margaret J. Cascino, Esq.
Tompkins, McGuire, Wachenfeld & Barry, LLP
Four Gateway Center
100 Mulberry Street, Suite 5
Newark, NJ 07102
(973) 622-3000
Attorneys for plaintiff Aurora Loan Services LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AURORA LOAN SERVICES LLC,

Plaintiff,

v.

DAVID SADEK; WINTHROP ABSTRACT,
LLC; FIRST FINANCIAL EQUITIES, INC.;
THE CLOSING NETWORK, LTD.; 100 W.
58TH ST. 7C LLC; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.; JPMORGAN CHASE
BANK, N.A.; BOARD OF MANAGERS
WINDSOR PARK CONDOMINIUM;
WINDSOR TOV LLC; FREMONT
INVESTMENT & LOAN; JOHN DOES 1-
10,

Defendants.

CIVIL ACTION

DOCKET NO.: 09-CV-9651 (HB)

NOTICE OF MOTION
(Oral Argument Requested)

PLEASE TAKE NOTICE that upon the annexed Statement of Uncontested Material Facts, the Declaration of William C. Sandelands, Esq. dated June 13, 2011 with exhibits, the Declaration of Angela Martinez dated June 13, 2011 with exhibits, and the accompanying Memorandum of Law, plaintiff Aurora Loan Services LLC ("Plaintiff") will move before the Honorable Harold Bear, Jr., United States District Judge, at the United States District Court, Southern District of New York, located at the United States Courthouse, 500 Pearl Street, New

York, New York 10007-1312 on June 27, 2011 at 9:30 a.m., or as soon thereafter as counsel can be heard for an Order, pursuant to Federal Rules of Civil Procedure 56:

1. Granting Plaintiff summary judgment on its second cause of action, subordinating the mortgage lien held by defendant JP Morgan Chase Bank, N.A. on the real property located at 100 W. 58th Street, Unit 7C, New York, NY (“Unit 7C”) to the equitable lien held by Plaintiff on Unit 7C;

2. Granting Plaintiff summary judgment on its sixth cause of action as against defendant The Closing Network;

3. Granting Plaintiff summary judgment on its eighth cause of action as against defendant The Closing Network;

4. Granting Plaintiff summary judgment on its tenth cause of action as against defendant The Closing Network;

5. Granting Plaintiff summary judgment on its fourth cause of action seeking to foreclose its equitable lien on Unit 7C and appointing a referee to compute the sums due to Plaintiff;

6. Setting this matter down for a proof hearing as to Plaintiff’s damages on each of the causes of action upon which default and summary judgment are granted; and

7. For such further and other relief as this court deems just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served on or before June 23, 2011.

PLEASE TAKE FURTHER NOTICE that if you do not file timely opposition to the motion, the motion for summary judgment, if appropriate, will be granted a judgment will be entered against you.

Dated: June 13, 2011



William C. Sandelands
Tompkins, McGuire, Wachenfeld & Barry, LLP
Attorneys for plaintiff Aurora Loan Services LLC
Four Gateway Center
100 Mulberry Street, Suite 5
Newark, NJ 07102
wsandelands@tompkinsmcguire.com
973-622-3000

TO:

Meng Cheng, Esq.
Stuart S. Zisholtz, Esq.
Zisholtz & Zisholtz, LLP
170 Old Country Road, Suite 300
Mineola, NY 11501

Cynthia Augello, Esq.
Justin F. Capuano, Esq.
Cullen & Dykman LLP
100 Quentin Roosevelt Blvd
Garden City, NY 11530-4874